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FISCAL IMPACT STATEMENT

LS 6085

BILL NUMBER: SB 33

NOTE PREPARED: Jan 19, 2006

BILL AMENDED: Jan 19, 2006

SUBJECT: Volunteer Advocates for Incapacitated Adults.

FIRST AUTHOR: Sen. Alting

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill replaces the Volunteer Advocates for Seniors Program with the Volunteer Advocates for Incapacitated Adults Program to represent and protect for a limited period the interests of an incapacitated or protected person who is at least 18 years of age. The bill requires a volunteer advocate for incapacitated adults to report to the court and make recommendations regarding the incapacitated or protected person. It provides civil immunity for a program or an employee or volunteer of a program.

Effective Date: July 1, 2006.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Under current law, a court may appoint a volunteer advocate for a period of 60 days for an individual who is an incapacitated or protected person who is at least 55 years of age. After 60 days, the court may upon petition by the volunteer or upon the court's own motion extend the appointment for a period of time to be determined by the court. Volunteer advocates must be supervised by a community Volunteer Advocates for Seniors Program. Thus, courts may only appoint volunteers in jurisdictions where community Volunteer Advocates for Seniors Programs exist. There is currently one community Volunteer Advocates for Seniors Program in Indiana (see *Background Information*).

As proposed, the court would be allowed to appoint a volunteer advocate for an incapacitated adult who is at least 18 years of age, as opposed to 55 years of age. The number of individuals for whom a volunteer advocate

would be appointed is currently unknown.

The court may appoint an attorney to represent the volunteer advocate. This could potentially increase expenditures for counties; however, any increases are likely small. The number of volunteer advocates falling under this provision are likely minimal. Actual increases in expenditures are dependent on the number of volunteer advocates for whom attorneys are appointed.

Background Information: There is currently one community Volunteer Advocates for Seniors Program in Indiana, St. Margaret Mercy Healthcare Center, which serves Indiana in three different locations: Hammond, Dyer, and Crown Point. The program reports that it receives approximately two referrals per week.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Courts.

Information Sources: Vanessa Nathan, St. Margaret Mercy Healthcare Center.

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